

D/L.08.
November 26, 2024.
KAUSHIK

WPA No. 9352 of 2024

Kartick Chandra Dutta
Vs.
The State of West Bengal and Others

Mr. Pratip Kumar Chatterjee

... for the petitioner.

Mr. Sabyasachi Mukhopadhyay
Ms. Koushikee Banerjee

... for the respondent no. 10.

Ms. A. Quraishi
Mr. Sutanu Chakraborty

...for the State.

The grievance of the petitioners is directed against non-consideration of a representation dated February 16, 2024 issued to the Sub-Divisional Officer, Katwa Sun-Division being the respondent no. 9.

This is a third round of litigation between the parties. Different orders have been passed from time to time. The petitioner alleges that notwithstanding an order passed by the Panchayat Authority dated November 21, 2023, the respondent no. 9 has deliberately failed and neglected to dispose of the same.

It is submitted on behalf of private respondent no. 10 that there is a rival claims

between the parties and the matter is pending in a civil suit by and between the parties.

The State respondents are represented and submit that they have no objection if the respondent no. 9 is directed to consider and dispose of the representation of the petitioner dated February 16, 2024 in accordance with law.

In view of the fact that the representation was filed as far back as on February 16, 2024 and has not yet been disposed of, WPA 9352 of 2024 is disposed of by directing the respondent no. 9 to consider and dispose of the representation of the petitioners dated February 16, 2024 within a period of six weeks from the date of communication of this order to the said respondent after giving a right of hearing to the affected parties including the petitioners, in accordance with law and without being influenced by any observation or direction made in this order.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open to be decided by the respondent no. 9.

Since no affidavits have been called for, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)